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January 14, 2025

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Hon. Analisa Torres, U.S.D.J.
United States District Court, S.D.N.Y.
Daniel Patrick Moynihan United States Courthouse
500 Pearl St.
New York, NY 10007-1312

Re: *Roy v. Zaslav et al.*, No. 1:24-cv-9856 (S.D.N.Y. 2024);
Hollin v. Zaslav et al., No. 1:24-cv-9885 (S.D.N.Y. 2024);
Ko v. Zaslav et al., No. 1:25-cv-0114 (S.D.N.Y. 2025).

Dear Judge Torres:

We represent Nominal Defendant Warner Bros. Discovery, Inc. (“WBD”) as well as the individual Defendants in the above-referenced derivative actions. Pursuant to Section I(C) of the Court’s Individual Practices in Civil Cases, WBD respectfully requests an extension of time to answer, move, or otherwise respond to the *Roy* Complaint pending (i) the Court’s resolution of the consolidation order entered on January 13, 2025 (ECF No. 8); and (ii) to the extent the *Roy* Action is consolidated with related actions *Hollin v. Zaslav et al.*, No. 1:24-cv-9885 (S.D.N.Y. 2024) (the “*Hollin* Action”) and/or *Ko v. Zaslav et al.*, No. 1:25-cv-0114 (S.D.N.Y. 2025) (the “*Ko* Action”), the Court’s appointment of counsel for plaintiffs in the consolidated actions.

Plaintiff Anand Roy commenced the *Roy* Action on December 20, 2024, asserting derivative claims on behalf of WBD under both state law and the Securities Exchange Act of 1934. ECF. No. 1. Plaintiff filed proof of service on December 27, 2024 showing service was made on WBD’s registered agent on December 27, 2024. Accordingly, WBD’s current date to respond to the *Roy* Complaint is January 17, 2025. To Defendants’ knowledge, no service has yet been made on any of the Defendants in either the *Roy* action or the related *Hollin* or *Ko* Actions.

On January 13, 2025, this Court entered an order suggesting that the Court intends to consolidate the *Roy* Action with the *Hollin* and *Ko* Actions, and set a schedule for any oppositions to consolidation as well as for requests to be appointed lead counsel in the consolidated actions. ECF No. 8. Defendants agree that the *Roy*, *Hollin*, and *Ko* Actions should be consolidated. However, that process will conclude sometime on or after January 24, 2025, which is currently after WBD’s deadline to respond to the *Roy* Complaint.

Given that the Court has not yet resolved the consolidation order, lead counsel for plaintiffs has yet to be appointed, and an operative or amended complaint has yet to be designated or filed, subject to the approval of the Court, the undersigned counsel has conferred with counsel for *Roy* and agree that

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WBD's time to answer, move, or otherwise respond to the Complaint is stayed pending both the Court's determination on consolidation and appointment of lead counsel.

Additionally, based on the understanding that the parties will confer and come to a reasonable schedule following the resolution of the consolidation and lead counsel determinations, the undersigned counsel has agreed to waive service of the summons and the Complaint in the *Roy* Action on behalf of the individual Defendants. Defendants would be willing to enter into a similar agreement with counsel for *Hollin* and *Ko*, assuming they are in agreement.

Accordingly, WBD respectfully requests that the Court enter an order (1) extending WBD's time to answer, move, or otherwise respond to the *Roy* Complaint pending the Court's resolution of the consolidation order and appointment of lead counsel; and (2) directing the parties to submit a proposed case schedule within 30 days following the resolution of the consolidation and lead counsel order.

This is WBD's first request for an extension of time to answer, move, or otherwise respond to the Complaint, and Plaintiff Roy consents to this request.

Respectfully submitted,

/s/ *Jonathan D. Polkes*

Jonathan D. Polkes

cc: All counsel of record (by ECF)

GRANTED. Defendants' deadlines to answer or otherwise respond to Plaintiffs' complaints are stayed pending the resolution of consolidation and appointment of lead counsel. Within thirty days of said resolution, the parties shall file their joint letter and proposed case management plan.

SO ORDERED.

Dated: January 15, 2025
New York, New York


ANALISA TORRES
United States District Judge